

# Canons of Construction

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## NATIONAL MOOTING SUCCESS COMES TO THE U OF A

DEAN BRYDEN

Success in national mooting competitions has arrived in a big way at the University of Alberta, just in time for the Faculty of Law's Centenary. The mooting gods actually started shining on us in the spring of 2012 (perhaps in anticipation of the Centenary) with a win by our team in the Canadian Client Consultation Competition. The University of Alberta team of **Angela Kiebel** and **Sherry Simons** went on to represent Canada and make it to the semi-finals of the International Client Consultation Competition in Dublin in April, 2012. Their success must have inspired this year's competitors, because when the 2012-2013 mooting season arrived the national titles started rolling into Edmonton like Stanley Cups in the days of Gretzky's Oilers.

We began the mooting season again in earnest in November, 2012, when **Pippa Feinstein** and **Samuel Harrison** combined to win the world's second Twitter Moot. Then in January, 2013, the U of A team of **Natasha Edgar** and **Avril Fisher** won the Mathews, Dinsdale and Clark LLP Labour Arbitration Moot in Toronto. Next, in February our team of **Katherine Fraser**, **Brendan Gould**, **Mandy Kahlmeier** and **Nora Kharouba** took third place in the Gale Cup in Toronto, with **Mandy Kahlmeier** winning the Dickson Prize as the best oral advocate. And last but by no means least, on March 2 our teams won two national competitions, the Bowman National Tax Moot and the Laskin Memorial Moot. The U of A team of **Regan Dahl**, **Russell Ault**, **Belinda Chiang** and **Maciej Zielnik** traveled to Toronto to prevail in the Bowman Tax Moot. On the same weekend we hosted the Laskin Memorial Moot here in Edmonton, and our team of **Katherine Drouin-Carey**, **Leah McDaniel**, **Marquez Strickland** and **Pablo Retamozo** struck a blow for Western Canada by winning the Jeremy Oliver and Alex Smith Prizes for best team in the competition. The Laskin is Canada's only fully bilingual moot, in the sense that each team has to present written and oral argument in both English and French, and this is the first time in the competition's 27 year history that a team from west of Toronto

has taken first prize.

We are all proud of what our mooters have accomplished already this year – and at the time I am writing this piece the mooting season is not yet over so there may be more success to come. In addition to congratulating our successful moot teams – and indeed everyone who takes part in our competitive moot program -- I want to take this opportunity to offer a few words about the mooting experience and what it takes to achieve this year's level of success.

Competitive mooting is a wonderful learning experience. There is no doubt that it is a lot of work, and the old saying that success is 10% inspiration and 90% perspiration is certainly true of success in mooting. That said, you get to think harder about a particular problem than you have probably thought about anything in your life, and wring more ideas and argument out of it than you ever thought possible. In national competitions you get to test your skills against other students from across the country and learn that you can compete with any of them and sometimes come out on top.

Competitive mooting is also a wonderful team effort. Off course, when you are standing up before a panel of judges and making an oral argument or counseling a client or doing whatever else the competition requires, you are very much on your own. But you have behind you a whole host of people whose efforts helped to prepare you to be successful.

First and foremost there are your team mates and your moot advisors. I would be remiss not to thank all of the faculty advisors for the teams I have mentioned: **Lynn Parish** for the Client Consultation Competition; **Cameron Jefferies** for the Twitter Moot; **John Carpenter** and **David Williams** for the Labour Arbitration Moot; **Peter Sankoff** for the Gale Cup; **Chris Sprysak** for the Bowman Tax Moot and **Patricia Paradis** for the Laskin Memorial Moot. They in turn are ably assisted by our Competitive Mooting Coordinator, **Stella Varvis**, and the many students, lawyers, tribunal members and judges who hear practice



rounds, review facts and otherwise offer their help, comments and constructive criticisms to the participants.

Finally, we benefit from the commitment of the individuals and law firms who sustain both our teams and the competitions themselves through their financial contributions and their organizational efforts. We are particularly grateful to the law firms whose financial contributions supported our successful teams: Beresh Cunningham Aloneissi O'Neill Hurley (the Gale Cup); Chivers Carpenter (the Labour Arbitration Moot); and Fraser Milner Casgrain LLP (the Bowman Taxation Moot).

This is a magnificent effort in which the academic and professional communities come together to advance the education and professional development of the next generation of lawyers. We are extremely grateful to everyone who took part in this endeavour. Personal effort and teamwork are necessary but not sufficient conditions for success in mooting. Without them success is not possible, but even the best prepared and hardest working teams will not always achieve success. Therefore, when success arrives (and especially when it arrives *en masse*), it is something to celebrate.

As a result, I would like to invite everyone to join us at 5:00 p.m. on Thursday, April 4 in CN Alumni Hall to celebrate the successes our mooters have achieved, to congratulate those mooters who gave it their best effort but didn't find their way into the winners circle, and to thank everyone whose efforts made it possible for us to have an outstanding competitive moot program.

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Canons of Construction is the official Law Student Newspaper of the University of Alberta Law Faculty. Canons' principal objectives are to provide equitable and judicious coverage of issues and events germane to the Law Students at the University of Alberta and to provide an open forum for the free exchange and expression of thought, opinions, and ideas.

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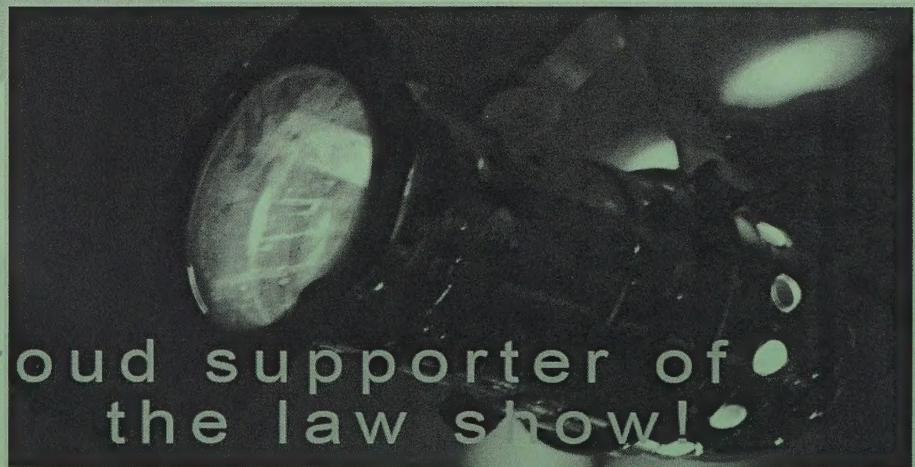
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## LABOUR MOOT VICTORY: A LESSON IN REAGANING

It was a weekend of Reaganing. For the uninitiated, Reaganing was described in 30 Rock by Jack Donaghy as “a magic zone of error-free living” accomplished previously only by a handful of people.

It started when we got to Toronto and went out for coffee and to work on our presentations. When we went to pay, we got a free latte. Luck, you say? Don’t be absurd – it was Reaganing.

That streak continued into the competition the next day. We found out we got to make our union argument first – the argument we were both more comfortable with. We competed first against the University of Calgary, whom, while very effective, did not appear to be Reaganing. The panel gave us great feedback, telling us that we had provided them with some new perspectives on the problem.

The afternoon moot also went well, but we didn’t know if we’d done enough to make it to the finals. At the reception that evening we couldn’t have more than a glass of wine until we knew whether we were in the finals or not. We told each other that we would be okay if we didn’t

make it. We could drink more wine! We could relax! Our incredibly high stress levels would dissipate early! But secretly (or perhaps not so secretly) we are both highly competitive people, and we wanted a shot at the trophy.

After dinner and a serenade from a law-themed band (seriously), they announced that it was the U of T and us in the finals. There was a ceremonial drink of champagne from the trophy with our competitors, where both of us spilled copious amounts down the fronts of our dresses. Then it was time for the coin flip – whoever won would get to choose the side they wanted to argue. Reaganing was taken to new heights when we won the flip, and chose to argue for the union.

Rushing back to the hotel, we realized that there was a bit more wine in our systems than previously anticipated, so preparation was kept to a minimum. The next morning, our coach John Carpenter was still tossing pearls of labour law wisdom at us over breakfast. The one that stuck was “this isn’t a competition. Just go and get this guy his job back.”

NATASHA EDGAR (2L) & AVRIL FISHER (2L)

The final took place in a stuffy room packed with spectators at the Ontario Labour Relations Board. The panel was difficult, and our opponents were very well prepared.



After a brief recess, the panel came back to give comments before they announced their decision. We were sitting there, sweating and hearing our arguments picked apart by some very intelligent and thoughtful people, thinking “well, we did our best, even if we are about to lose.” The longer the comments went on, the sweater our palms became. And then came the final moment of Reaganing of the weekend, when the Chair of the panel announced: “And the winner is, the University of Alberta.”

Donaghy would be proud.

## U OF A MAKES HISTORY WINNING THE LASKIN MEMORIAL MOOT

On March 2, 2013, the University of Alberta Laskin moot team was honoured to win the 2013 top school prize at this year’s Laskin Memorial Moot. The win was especially exciting for us for a couple of reasons: (1) Edmonton was this year’s host for the competition; and (2) it is the first time that any western Canadian law school has ever won this prize in the history of the Laskin moot.

The team - which consisted of myself, Kathy Drouin-Carey (3L), Francisco Marquez-Stricker (3L), Pablo Retamozo (2L), and coach Patricia Paradis - was very excited to find out that we had won this prestigious prize... and incredibly shocked! It took us a couple of minutes to figure out that this wasn’t just an elaborate prank being pulled on the host school.



centred on the issue of whether the Canadian Human Rights Commission should hear a human rights complaint that had already been decided by a labour arbitrator. The moot problem was challenging, but we all learned a lot in the process (and all know perhaps more than we will ever need to know about the duty to give reasons).

It was an absolute pleasure working with the team this year. This team struggled through some adversity, but between a switch in team members, a broken hand, and a burst appendix, we were able to pull through and enjoy ourselves in the process.

Special recognition goes to Kathy Drouin-Carey who mooted (and wrote a portion of the factum) in French. We all know how terrifying facing a panel of real judges can be – imagine doing it in your second language!

The unique, collegial atmosphere of the Laskin is one of the things that makes it such a great experience. The judges and organizing

LEAH McDANIEL (3L)

committee have been involved in the Laskin for many years, and their expertise shows in a very well-run event. In addition, we were able to enjoy the many social events to relax and to converse with other law students, lawyers from across Canada, and several Federal Court and Federal Court of Appeal judges.

The team has many people to thank for all of their assistance in our preparations. Most of all, we owe thanks to our incredible moot coach, Patricia Paradis, whose patience, guidance, and gentle leadership made the experience a fantastic one. We also want to thank all of the faculty members and members of the Edmonton legal community who judged practice rounds or gave us input on our factum.

All in all, the Laskin moot was a wonderful experience – and I encourage anyone who has an interest in mooting to check it out next year. We are all very proud of our accomplishment, but also happy that practice rounds, factum revision, and administrative law nightmares have come to an end (for now).

The Laskin is a national, bilingual moot competition. This year, 18 teams from across Canada debated an administrative law problem

## TAX MOOT VICTORY

MACIEJ ZIELNIK (2L)

There's something indescribably special about standing up in front of a panel made up of two Federal Court of Appeal Justices and the Chief Justice of the Tax Court in the final of a national moot. It should be absolutely terrifying but after all the preparation that comes from the days leading up to the moot and from working up the ladder in the moot itself, a strange mix of excitement and calm replaces the fear. Everything after that moment is just a pure whirlwind of questions, answers and just doing your best to make a coherent case. Nothing I've done in law school thus far comes close to the exhilaration of participating in a competitive moot and that includes the first year session we all have to go through.

Every team in the Donald Bowman National Tax Moot has to do two rounds against different schools. After that things start to get really fun. The second round happens Saturday morning. A couple of hours later they announce the semi-finalists and half an hour after your team makes it in, you're back up behind the podium making

your case. This time though, because of the quick turnover, you don't get to read the other side's factum beforehand. As respondents, this made for one exciting semi-final. Since we hadn't heard or anticipated some of the appellant's unique arguments, we had to make up counter arguments on the fly because we knew there were questions

coming. At this point, any script that you may have come up with over all the practice sessions goes out the window and it's just your ability to think on your feet that gets you through. The final puts you in the same position except this time with higher stakes, a tougher panel and a packed courtroom. The experience is unique and totally worth all the work that goes into it.

Going in to the moot, I knew we had an



excellent team and that we all had put in a ton of work but I never would have guessed that we'd go all the way. Putting all our work and preparation to the test against the best and brightest from law schools around the country and coming out on top was an incredible feeling. I am extremely proud of my teammates and thankful to our coach and all the excellent lawyers that helped us prepare. From start to finish, competing in a moot is a team effort.

Getting up in front of a panel of federal Justices to argue your case is a once in a lifetime opportunity. It's not often that I manage to convince anyone to listen to me for 15 minutes at a time let alone some of the brightest legal minds in Canada. Win or lose, competing in the National Tax Moot is incredible and I encourage everyone to get involved whether you actually care about tax or think it's an area of law best left to the nerds.

It was a pleasure to partake in one of Canada's oldest national moot competitions in February 2013. It took place at the Court of Appeal of Ontario in Toronto. Our team successfully placed third out of eighteen schools. It was a historic win for UAlberta as it was the first time in over 10 years that our school proceeded to finals! One of our teammates, Mandy Kahlmeier, was also awarded the Dickson CJC Oralist Award. I was extremely lucky to have such wonderful teammates and a passionately devoted coach, Professor Sankoff. This year's moot problem was based on the Supreme Court of Canada judgment *R v DAI* concerning section 16 (3) of the *Canada Evidence Act*. The Gale Cup is a rather fierce competition. Each school sends two teams – appellants and respondents, and therefore writes two factums. The final four teams proceeding to the finals are required to achieve the highest number of points based on preliminary round moots and the factums. I will never forget that moment, sitting in the



reception room of elongated tables patiently waiting for 1:20, the time of which the four finalist names would be called. As the time grew closer, the knot in my stomach grew. Slowly, I sensed the quietening environment as every other team also became cognizant of the time. When the

University of Alberta's name was called, I can assure you that we were certainly the most enthusiastic and loudest team there. All I remember is hearing a loud yelp, and a loud "Yes!!!!!!!" from my

team.

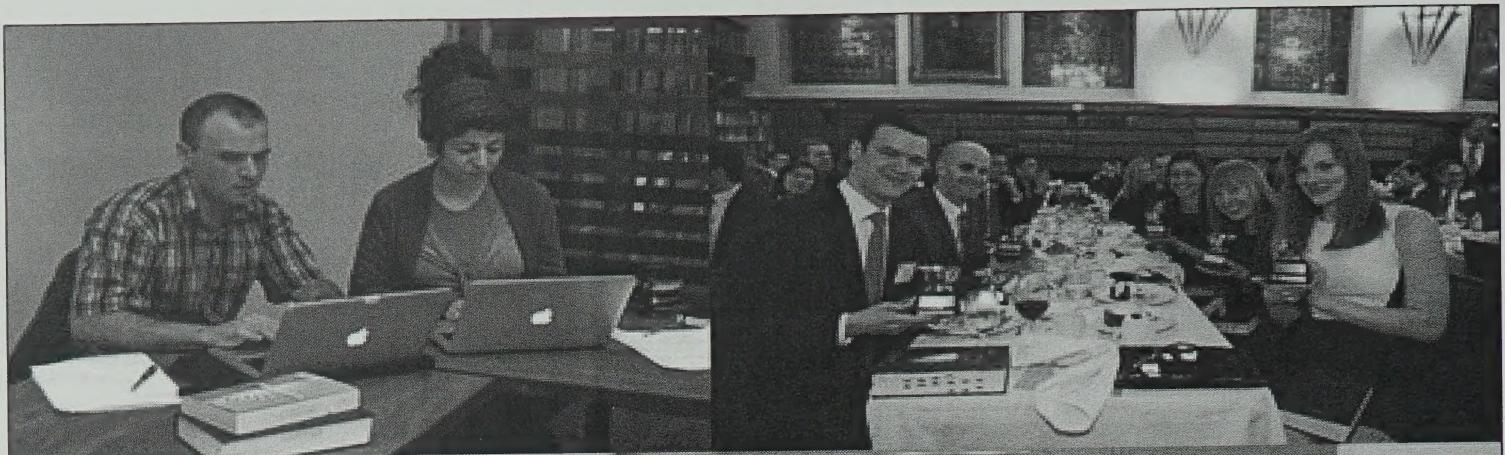
At that point we were sequestered into a room that we were not allowed to leave. The purpose of this was to prepare for the final round as we were dealt with a variation to the facts previously argued. That hour would have made for a good comedy show. I was sitting on top of tables bouncing ideas with Mandy, only to realize at one point I could only hear her voice - turned out she

## GALE CUP SUCCESS

NORA KHAROUBA (2L)

was crouched on the floor behind chairs mouthing points back to me. Katherine was frantically writing notes down, while Brendan quietly paced in his two meter zone. Professor Sankoff sat at the room's front beaming with excitement like a child on Christmas while monitoring our progress. The moot ended with a lovely ceremony that carried late into the night where we celebrated all our hard work. We devoted countless hours to this experience. Our obsessions with the case grew with time – we were conjuring arguments in our dreams, and waking up to the words of 'promise' and 'ability to communicate'! But, it was beyond worth it. It is, and I am sure will continue to be, the ultimate highlight of my law school career. It provided me with a rare opportunity in law school to develop a wide range of fundamental legal skills at once under direct supervision and assistance. Most of all, it gave me the gift of life-long friendships.



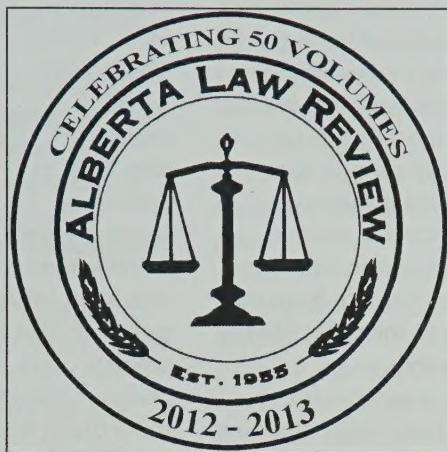


## JUSTICE BINNIE SPEAKS TO U OF A AT ALBERTA LAW REVIEW BANQUET

KELSEY ROBERTSON (3L)

On February 27, 2013 the Alberta Law Review celebrated the anniversary of its 50<sup>th</sup> volume by hosting Justice Ian Binnie, Former Justice of the Supreme Court of Canada as the keynote speaker for an evening banquet. Over 130 people, including academic commentators, law students, and members of the legal profession, joined the ALR to commemorate this milestone. The ALR has been in continuous publication since 1955 and remains one of the only student-run legal journals in Canada.

In his speech, "Parting Shots from the Bench", Justice Binnie highlighted the major events that influenced his time on the Supreme Court, and the surprising impact that the Charter had on shaping legal process and



the consciousness of the Canadian public.

Of particular interest to law students were Justice Binnie's tips to new (and upcoming) law school graduates. First, be an opportunist. If a file comes across your desk that is complex and interesting, but is not a typical case for your firm, take it! If you are given a hard time about taking on this particular file, ask yourself if this is the right firm for you. That interesting file might be your ticket to argue before the Alberta Court of Appeal or Supreme Court

of Canada. Never shy away from a challenge.

Second, take charge of your legal education after law school. While you

may feel that you have learned a lot during your time at law school, sadly your legal education has only begun. It is during the articling process, and your first few years past call, that you learn the art of lawyering. Client interviewing, settlement negotiations, and the cross examining witness are all skills that you develop in practice. If you want to be well versed in these particular art forms, it is up to you to make sure you develop them. Your law firm may be perfectly content to have you go through boxes of discovery evidence and preparing affidavits for the next few years, but this will not help you to become skilled at your craft. So take charge, make sure you attend discoveries, sit in on client meetings, and get banged up in Court while you are still new and humble. It is a lot harder to develop these skills when you are five years or more past call (and much more humiliating).

## PREVIEW OF GRADUATION BANQUET 2013

GRAHAM HENDERSON (3L) The

Graduation Banquet for the University of Alberta Law Class of 2013 takes place on March 23 in Hall D of the Shaw Conference Centre. The reception, sponsored by Borden Ladner Gervais (BLG) LLP and Fraser Milner Casgrain (FMC) LLP, begins at 6:00PM and includes hors d'oeuvres and champagne. The dinner begins at 7:00PM, at which point there will be speeches, a slide show, and a three-course meal. Each table will have four complementary bottles of wine, which have been provided by Jensen Shawa Solomon Duguid Hawkes (JSS) LLP. The appetizer is a cannellini beans and pancetta soup with tomato bruschetta. Those who chose the chicken main course will be having basil roasted arrossan free range chicken in pan jus. Those who chose the beef main course will be having beef tenderloin in a pinot noir glaze with a shrimp skewer. Those who chose the vegetarian main course will be having a spinach and portobello mushroom napoleon. The two desserts are a cookies & caramel cheesecake and a lemon custard flan

with pistachio mousse. Although everyone gets a dessert, the desserts are not individually selected; rather, each adjacent person at every table will get a different type of dessert (the type of dessert will alternate from person to person). Please note that modified menu items will be provided for individuals who have reported allergy restrictions to the 2013 Grad Committee.

There will be four speakers including Dean Philip Bryden, Valedictorian Leah McDaniel, Emily Keene (providing the Toast to the Family), and Brendan Sawatsky (providing the Toast to the Faculty). The masters of the ceremonies will be Jackie Anderson and Andrew Dixon, who are sure to make the event both hilarious and meaningful. Please expect nothing but the best from Jackie and Andrew, and be sure to arrive with extremely high expectations for their performance. Throughout the night the awards for Best Dressed, Social Butterfly, and Best Karaoke Singer will be

announced. Prizes will also be awarded for the people who were voted to be the most likely to become a supreme court justice, the most likely to continue

frequenting avenue pizza, the most likely to become a law professor, and the most likely to quit law and go into show business. Following dinner,

there will be a dance which will run until 2:00AM. The music for the dance will be played by DJ AliZe. There will also be a photo booth operating at this time. Any persons who did not purchase dinner tickets but would still like to come to the dance should plan to arrive around 10:30PM.

Please note that a complimentary coat check will be available throughout the evening.

Special thanks to our reception sponsors BLG and FMC, and to our wine sponsor JSS!

Congratulations to the graduating class! See you at the banquet!



## POINT: LEGALIZE IT ALL!

SAM HARRISON (1L)

When we talk about the “drug problem” in our society, invariably the first image that comes to mind is an impoverished ne’er-do-well, beholden to addiction, slowly killing himself in a back alley. This is not the only effect of drugs, but fear of condoning it leads to our outdated prohibitionist approach and prevents us from effectively dealing with the problem. Prohibition causes a multitude of issues—some visible, some less so—from black market profiteering to the entrenchment of a prison class. Furthermore, it doesn’t work; terribly addictive and dangerous drugs are readily available in any moderately sized city.

A common counter argument to legalization rests on the perceived immorality of drug use. That argument should fail. The real immorality lies in turning a blind eye to the devastating impacts of the illegal drug trade, and in treating addicts as criminals deserving imprisonment or punishment. We justify this approach saying, “it’s a

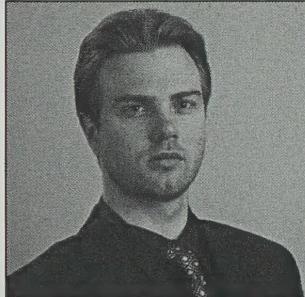
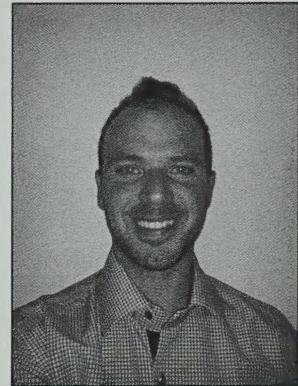
choice”, “its her fault”, “he didn’t work hard enough”, always finding a way to blame the individual, not the society. This is overly harsh; most addicts are not lazy, just unluckily born into unfortunate circumstances. As John Bradford said, “there but for the grace of god go I”.

Using street drugs is not *malum in se*. Rather, it is a public welfare offence, a species of *malum prohibitum* that exists to minimize the probability of harm (to individuals and society) resulting from its commission. Obviously that is a laudable goal; unfortunately it is not rationally connected to prohibition. Criminalizing street drugs fails to minimize harm to society because it creates inflated prices that incentivize criminality and cause violence from the point of production to the point of sale, and everywhere in between.

Another compelling argument for legalization comes from the fact that our society generally does not criminalize acts that do not harm others. Although this is not a principle of fundamental justice according to *Malmo-Levine*, it is still relevant. The majority found that it is constitutionally legitimate for

Parliament to legislate marijuana prohibition because the drug is harmful to a certain group of people. However, the approach that creates the least harm overall is the one that should be followed, and that is not prohibition. How would legalization work? I suggest a step-by-step approach,

beginning with marijuana. This would provide time and money to create the treatment, education and administrative programs that must be in place to regulate other drugs safely. There is however something to be said for a more direct route, at least towards decriminalization. In 2001, Portugal officially decriminalized all street drugs, opting for a system based on treatment rather than punishment. By 2011, addiction to the most serious drugs had fallen 50%.



It is well said that drug use, specifically of drugs like cocaine and heroin, is a medical problem. This in no way

precludes their presence in Canadian society as being a legal problem.

Drugs are *malum in se*, which is evident in their deleterious health effects and in their insidious role in society. Painkillers at the level of illegal drugs are routinely provided in hospital. Doctors do not allow them to be taken home due to their addictive qualities. Beyond addiction, which can dominate a person’s life, drugs have negative effects that can strain the healthcare system. For example, The United States of America’s National Institute on Drug Abuse states that “Chronic users [of heroin] may develop collapsed veins, infection of the heart lining and valves, abscesses, and liver or kidney disease.” There is no compelling benefit drugs provide that cannot be provided through other avenues, and there are certainly considerable pitfalls to their use.

## COUNTER-POINT: WHY DRUGS SHOULD REMAIN ILLEGAL

MATTHEW GORDON (1L)

surrounding these infections demonstrate that people do not want this risk in society. A particularly jarring example of family effects of drug addiction is that if a heroin-addicted woman gives birth, her baby may be born addicted.

While governments could sell drugs in authorized stores for less than dealers can on the black market, presenting the option is an enticement to poor health. It is counterintuitive for any seller, whether public or private, to offer goods for sale and then encourage customers not to buy them.

Furthermore, legalization of drugs could erode the considerable social taboo surrounding them. The prospect of buying cocaine or heroin in a store is far more appealing than the current situation of having to find a dealer. Making drugs more readily available, more affordable, and less undesirable could quite foreseeably lead to an increase in use, which runs counter to the argument that negative effects could be lessened through legalization.

## LAW SCHOOL JEOPARDY: THE BEST AND WORST OF LAW STUDENTS

This past week, the Law School held the annual jeopardy tournament, a chance for all the type A personalities that inhabit Law School to prove how smart they are. It began with 18 teams and ended with the championship team celebrating their victory with a \$200 Hudson's gift certificate, because what is a better gift for a law student than an ability to drink for free. I was not a neutral observer of these observers.

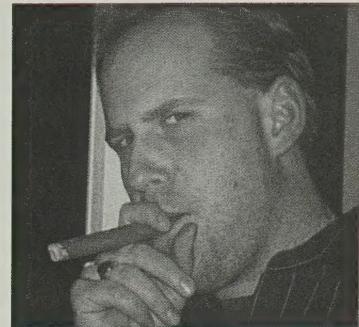
Rather, this intrepid writer was right in the thick of it, competing with a group of fellow 3Ls in a team we felt merited the term "Dream team". Sadly, our dream ended in tears as we came up just short in the championship match. But I'm not bitter so we'll just move on.

A couple observations about law school jeopardy are in order for those who were not lucky enough to watch a live match. First, law students are big sticklers for the rules and have a heightened sense of right and wrong in the competitive environment. We all know that there is a rule in jeopardy that answers must be made in the form of a question. If you didn't know that, you would

have certainly been reminded of it by one of the many yelling participants who, flushed with fury, demanded that a competing team be stripped of their points for failing to use the proper word structure in their answer. However, the failure to structure responses properly pales in comparison to the anger that rises from the team that is denied points for an answer they are certain are correct. Often is the case that a team teeters on the brink of staging a walk out because of this perceived slight. In short, there is not a shortage of competitive energy during the game.  
Second: the questions' relative "difficulty". These questions are created by members of the LSA and are intended to be of a certain difficulty; that they do at least challenge the mind of the average law student. This is not always the case however. I can personally attest to a handful of games that turned into buzzer contests because of the sheer ease of the questions. When asked to identify "a local hockey team that has struggled of late",

JAMES RAWORTH (3L)

I have to say that even the most sports-averse person alive would be able to answer with relative ease. Far be it for me to criticize the question making ability of the members of the LSA but perhaps in the future ask fewer questions about the Oilers. Overall, the Jeopardy tournament is an event that brings out the best and worst of law students. The great camaraderie of being part of a team reaching for championship glory is an always-enjoyable experience. Watching two people yell in each other's faces about the meaning of a golf tournament is slightly less entertaining. However, when it comes down to it, all that matter is this. My team was robbed and clearly should have won. That is all.



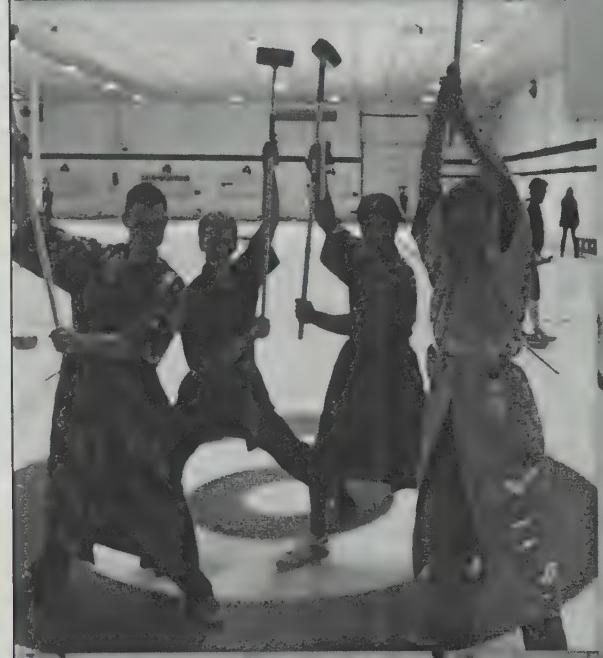
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## HE SAID: OF COURSE YOU SHOULD BRING YOUR PARENTS TO GRAD!

PAUL TONITA (3L)

Why, you ask? I shall

explain this to you in 15 simple points.

1. Do you utterly hate your parents?

Would they rather bang their heads against a brick wall than spend any time with you? If you answered "yes" to either of those questions, then you can ignore the next 14 items as there is nothing I can say that will convince you to bring your parents to grad. If you answered "no" to both questions, please continue.

2. Your parents will be proud of you and will want to support you as you are finally on your way to independence.

Perhaps the next step will be to move out of your parents' basement. Grad will prove that you will be able to accomplish moving out one day.

3. There will likely be a dance-off at some point. Parents love dance-offs.

4. What's better than watching your dad have a few drinks and then share his views on the good ol' days with your friends.

5.

- a. If your parents are from a small town, the Shaw will offer great views of the "big city".

- b. If you are from BC, March 23 will be the perfect opportunity to prove to your parents that it can get above 0° Celsius prior to July 15.

- 6. If you can convince your parents to stick around until 4:00 am you will have a designated driver to get pizza.

- 7. Andrew Dixon has contracted to put on a great show as MC or if that fails, then as emcee.

- 8. Drinks are guaranteed to be cheaper than at Carbolic. Shouldn't your parents be able to experience that and pay for you?

- 9. While you may make an ass of yourself, your parents have already

- 10. They will get to listen to a bunch of speeches by people they don't know or really care about. It will be a good character building exercise for them. Parents need that.

- 11. They will be proud of you...hopefully.

- 12. Law school is pretty much the same thing as high school: half lockers, posters all over the place, guys and girls hooking up here and there. Your parents went to your high school grad didn't they? Why wouldn't they want a repeat?

- 13. This is law grad! This could/should be your last grad...at least for a while.

- 14. If your parents don't come, Emily Keene will have nobody to toast.

- 15. On a personal note, the reason I want my parents to come is so that everyone can see that my dad gets full credit for giving me the moustache growing genes.



## SHE SAID: WHY YOU MIGHT WANT TO RECONSIDER BRINGING (MY) PARENTS TO GRAD

So off the bat I have to be honest: I don't mind having parents come to grad. I may be the wrong person to write this article because I generally like my friends' parents, and what's the harm having extra cool moms and dads around. The issue though isn't other people's parents — it's my own.

I would like to point out that I didn't exactly "invite" my parents to grad. They decided in 1L that they were coming to celebrate grad whether I liked it or not.

Now I certainly don't hate my mother or father. In fact I quite like them, and find their little quirks and beliefs endearing in the deep privacy of our family home. But when they come out in public, especially around law school folks, well I can't help but sense trouble a brewing.

Issue #1: Meeting the parents. So my parents have never met the parents of my lovely bf, Cameron - grad 2013 will be the epic first encounter.

Now I really like Cam's parents. They're

these hippy-esk liberals (socialists by Alberta standards) from Tsawwassen, BC who enjoy swimming in the ocean, travelling to poor exotic places around

the world, having a good time, drinking, etc.

As for my mom and dad; well they are staunch conservative Catholics who grew up in rural Saskatchewan, and now live in SW Calgary (a.k.a Stephen

Harper's riding) Their favorite activities involve, I don't know, going to Church, watching Corner gas drinking tea... my mom still think "hell" and "damn" are inappropriate words.

So that whole "meeting" should be interesting.

Issue #2 Dashed expectations. My parents sorta know what I do in law school. They know all about my work with SLS; they've even visited the law school when I competed in my moot last year. I think so far they hold a pretty

high opinion of U of A law in general.

So yeah, even if they'll be leaving soon after dinner, I think they're going to see/hear many things that are going to horrify them by the end of the night, because let's be honest, we are not a classy bunch. And I don't know how to answer the questions about why everyone "slurs their words so much and has such glassy red eyes..."

Issue #3 No fun. Sometimes the most fun part of a night out is the pre-drink party. If the past 3 Carbolics are any indication, I can usually barely sit up straight by the time dinner is served.

But now instead of spending the day getting my hair done with my friends, having a pre-drink dance party, and getting sloshed by 6 p.m., I will be with my parents... and my bf's parents... on my best behaviour.

So all in all this doesn't seem ideal.

So in the end, if you have cool hip parents, come on and bring em' down. But for me, well, fingers crossed.



## SPRING BREAK RECAP

ALLISON MITIC (2L)

So instead of going home to Calgary for spring break to go skiing or studying (just kidding), I decided to go to Mexico with 25 other law students. If you've ever wondered if this is a good idea or not, then this is the article for you. I'll give you the pros and cons, and then let you know what I thought overall. Here we go. Obviously, everyone who goes to the U of A Faculty of Law is awesome, so going on a trip with them is sure to be a great time. Someone will always want to do the same thing as you; whether yoga on the beach, boogie boarding, a couple's massage (lame but we all did it), or just getting day drunk, you always had a partner in crime. Being with a group that size also meant that any restaurant, bar, or lounge you went to became your own private party. The 'Sports Lounge' at the hotel became our own private bar, and even when we went out on the town it was just like Ave...but Mexican style. Being in a group that size also means you

can book group tours for cheap. The Stone Island tour (wasn't actually an island) included a catamaran ride where dolphins swam along with our boat, so that was awesome. It was also entertaining to watch some of the boys be forced to go horseback riding. A con to being in a party group that size is being force-fed tequila-sunrise shots nightly. And, no, you cannot politely decline. You can't even be sneaky and try to foist them on someone else; they are always watching. So that ended badly for some. You know what else ended badly? Deep-sea fishing. Sounds awesome, I know, but we went on the worst day possible. It seemed nice at first, but the minute we got out of the harbour we knew we had made a big mistake: cue being huddled in the fetal position wishing for it to end for 5 hours as you ride waves bigger than



#gradcrash #cometograd #massiveparty  
#hairdidnailsdid

#thisishowtouseahashagright?

#donthaveinstagramortwitter

#noideawhatahashtagis

I know what you're probably thinking, you don't want to be "that guy" – the one that shows up, dressed to the nines, sparkly flask in pocket/purse (@Candice Kinal), ready to party and then all of a sudden realize, "shit, I'm the only 1L/2L here." Well guess what, if that ends up being the case and you really are the only one (don't worry – you won't be), the 3Ls are going to just love you even more than they already do. You're clearly awesome.

I'm not ashamed to say that I crashed grad last year – it was a blast! My suggestion is that you make an evening of it. Do you need a date in order to attend?

Absolutely not! I, for one, had *two* smokin' hot dates when I crashed – a beautiful blonde and ravishing brunette – but we can't all be that blessed. While the grads did the dinner thing with family and



## GRAD CRASH

friends, Jackie Anderson, Jenna Carpenter, and I had a very lovely little pre-party at my place, complete with pasta, candlelight, music, and some nice vino. The fact that the pasta consisted of Olivieri and the music was Shaw on Demand's "Maximum Party" is completely beside the point. The pre-

party set the tone nicely for the crazy night to follow. We headed off to the party like giddy eleventh graders about to sneak into prom.

When we got to the party it proved to be every bit as good as we had imagined. We danced all night, did shots (shots, shots, shots), got absolutely Larter'ed with

the one and only (@Larter), and said a proper goodbye to all our beloved 3L friends who were about to head helplessly into the trenches of articling. I realize that there are a lot of

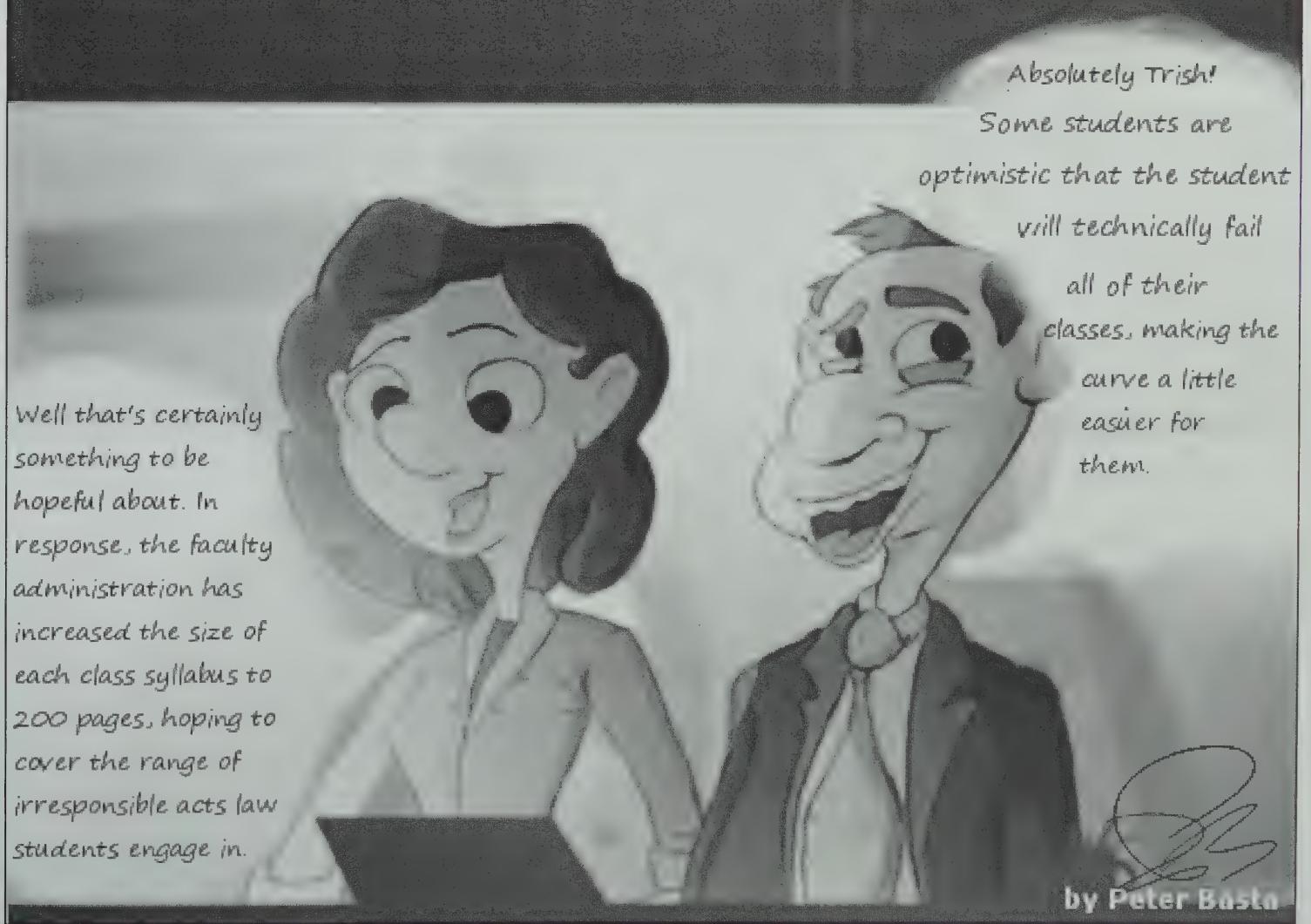
CARLY ANDROSHUCK (3L) @GRADCRASHER2012

"reasons" (and by reasons I mean excuses) why you might say you can't make it: "finals are coming up" or "this paper isn't going to write itself." The time to panic is not now though people – the time to panic is later! Leave the worrying for mid-April. The 3Ls are here for a good time, not a long time. Give them the send off they deserve! The most important thing to remember is that when the third years tell you that they want you at grad they mean it. We're not just being nice – I'm not that nice. Our graduation party isn't going to be a true celebration without *all* of our law school friends – and that includes the amazing first and second years who have made this wild ride the experience of a lifetime! Plus, a party just isn't a party with an empty dance floor. So get your dancing shoes on, put a little elbow grease into that hair and make-up, and come and wow us with your slick moves and drinking prowess on the 23<sup>rd</sup>. See you there! #justcometograd



While on the one hand this is tragic, you have to wonder about the effect that this will have on the grading curve.

...and the mushrooms still aren't working. In other news, a UofA law student was crushed to death yesterday by a stack of 20 casebooks



Well that's certainly something to be hopeful about. In response, the faculty administration has increased the size of each class syllabus to 200 pages, hoping to cover the range of irresponsible acts law students engage in.

Absolutely Trish!  
Some students are optimistic that the student will technically fail all of their classes, making the curve a little easier for them.

by Peter Basta

## THE LAW OF THE LIBRARY

MISS B. HAVEYER (?L)

It's around this time of year when all law students get stressed out and start to spend more time in the library. Although we blame the SNAILS for much of the outrageous behaviour in the library, the fault is often our own. We should turn the lens back on ourselves and set down what shall henceforth be known as *The Law of the Library*.

### The Silent Room

1. No talking in the silent room. It sounds straightforward, but apparently some people need to be reminded. NO TALKING IN THE SILENT ROOM! Question: how should you interpret 'silent'? Answer: according to its plain and ordinary meaning. The Oxford dictionary says: "silent (adj) not making or accompanied by any sound." Let's stick with that definition.
2. No eating in the silent room. Either it's smelly food, or it's crunchy food, or you make too much noise opening it and rustling around your bag like a rodent rooting through a garbage can. Go eat your lunch in another location.

### The Encana Room

1. No carrots, celery, or similarly crunchy food. Chewing slower doesn't make it better.

2. If you insist on napping in one of those orange chairs near the window (and we've all done it), you cannot set your phone alarm and startle everybody else in the room when the alarm goes off. This is not your bedroom.

3. If you fall asleep and start to snore, you deserve it when

Peter Hogg's Constitutional Law text hits you in the head.

4. Short, whispered conversations are appropriate, but talking in your regular, street level voice is not.

### The Entire Library

1. Stop talking already. Do you know where you can talk? Everywhere else in the entire law building – EXCEPT the library. You can talk in the hallways, you can talk in the gavel, you can talk at the couches, but you can't talk in the library.
2. On the third floor, you shouldn't make a peep, except maybe a very short, whispered conversation no longer than 1 minute. Otherwise, take it somewhere

else.

3. On the second floor, you still need to be quiet! Just because it's the second floor does not make it a free-for-all.

4. Your cellphone needs to be on silent. Not a quieter, less annoying ringtone – silent. It also can't be on vibrate. Everyone can still hear your phone vibrate when you put it on the desk, and everyone sitting at the same table as you can feel it.

5. When you're walking down from the third floor, you need to wait until you make it through the doors to the service desk area to start your conversation.

6. Even if you're in a study room, the people outside can still hear you. Please – no obnoxiously loud conversations, screaming, or cackling laughter; the rooms are not soundproof. Just remember, not only is this about letting everyone have a quiet place to study, but you incur the wrath of your classmates if you're disruptive in the library. You don't want to be remembered as 'that annoying person who keeps talking' at the next table.



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## THE "ROCK STARS" OF CURLING

TAREYN WARREN (3L)

Every winter students from the University of Alberta Faculty of Law participate in the annual Law Bonspiel; a curling tournament that broadcasts law students at their finest. This year the curling tournament sold out in an unprecedented four minutes. Students were undoubtedly eager to show off their curling skills and hit the ice for a little friendly competition. Or so I thought.

This year students appeared to be more enthusiastic about the idea of winning a prize for best costume than winning the actual curling tournament itself. Take for example Garrett Lee's (3L) team of cute (creepy) animals. Not only did they wear masks the entire day but they decided against speaking...for 5 hours. This did not end well, particularly for Scott Brasil (3L) who described the experience as nothing short of "torture." Thankfully, other costumes were more cute than creepy. Jackie Anderson's (3L) team of Care Bears used their "Care Bear Stare" to crush other teams, including my team of "Rock Stars". The fact that they were

so nice to their opponents served only to make the loss that much worse. Steve Morrison's (1L) team of Old Men were seemingly innocent until their walking canes proved to be nothing but a hazard to other curlers (Shanlee Von Vigesack 3L). The team that ended up receiving the most votes and winning the prize for best overall costume was Lamont Bartlett's (3/4L) slightly offensive team of the "Sister Wives." An honorable mention was given to Dhruv Gupta's (3L) team who were the Larry David's of curling, a much needed improvement from last years

"costume" of the Good Looking Guys. Now, on to the *real* winners. It is no surprise that Adam Norget's (3L) team was the overall winner of the curling tournament, for the third year in a row. What was surprising was the



winning record and, for the first time in recent memory, we're well on track to making it to our division's finals. In the fall term, we obliterated the "Frat Division" (I don't know how we were placed there but Roger Rouault appeared to be conflicted playing against his fellow brethren). This term, we're cleaning it up against a bunch of Engineering, Science, and Med students.



So what's the reason for the sudden increase in performance? As one of the few veterans on the team, I'd like to say that the leadership I provided spurred the team towards getting some wins for a change. However, I fully place the credit in the hands of the rest of the team. Those who returned after last season appeared to have engaged in a rigorous dry-land training regime over the summer, and this has resulted in much improved performances from key players such as Elliot "Found my hands" Bridgewater, Shaun "Evolution is a junk science" Wetmore, Ryan "Holland Oats"

When I tell someone that I play hockey on a Law intramural team, that person immediately says, "Oh cool, you play for the Tortfeasors? I hear that's a huge honour because you get to play with noted superstars such as Garrett Lee and Scott Brasil." They immediately lose interest when I tell them that, no, I don't play for the Tortfeasors, nor do I play for Swift Justice. I play for the Litigators.

So, who are the Litigators? The Litigators are a ragtag Law hockey team that plays in Div 3 of the U of A Intramural League. The

Litigators are a team that has generally finished in the middle of the pack, with records hovering just below .500. Last season, our biggest claim to fame was achieving the rare feat of getting 4 ties in a row. Needless to say, expectations were never set all that high for the Litigators.

... until this season.

During the 2012-13 season, the Litigators have become true competitors. We've got a healthy

fact that the second place team overall was Dhruv Gupta's team. Maybe Ben Lotery (Graduated) really was the downfall of last year. The winner of the consolation round was Gareth Reeve's (3L) team, otherwise known as the House Wives of Hong Kong, who beat out Ryan Ghuman's (2L) team for the win. And once again my team got third

place over all. Or fifth. Or eighth. Or, somewhere around there.

Overall the annual University of Alberta Faculty of Law Bonspiel was a HUGE success! Thank you to Hudsons and Avenue Pizza who donated prizes and to all of the participants who

came out this year. And for those of you who didn't. If you decide to attend one event in the future, make it this one!!!

## WHO ARE THE LITIGATORS?

Algar, and ARIEL LAVER (3L) several others. The rookies on the team, including Riley "Power forward" Graydon, Stevie "Y" Graham, and the rest of the bunch made timely contributions which helped put us over the top.

Recently, the Litigators held our Alumni Game in Lake Louise. Playing shinny outside on the lake in a picturesque exhibition of Canadiana, the Alumni somehow managed to steal a win. We had a great turnout and an even greater time at the bar in Banff. A big thank you goes out to Faiz "You're dead" Virji for not calling the cops on a certain unnamed alumni who may or may not have had way too much to drink and may or may not have threatened to kill him.

Thanks to everyone on the Litigators for an awesome season. I've had a great time captaining the team this year and am looking forward to finishing it up with a big win in the finals.

## TORTFEASORS ROUND-UP

JEREMY COMEAU (3L) The UofA Law

Tortfeasors Hockey Club is heading into the final stretch of a torrid 2012-2013 season. Despite an early season goaltending controversy, Garrett Lee has backstopped the Tortfeasors to a third consecutive birth in the Division 1 intramural playoffs. Although 2012 saw the retirement of some Tortfeasor staples such as Mike "Captain Serious" McVey, and the "Manning" Mays, a strong group of 1L recruits (one akin to NHL legend Scott Neidermayer), were able to fill the ranks. Under the guise of dedicated Tortfeasor President Scott Brasil, the team was successful at winning a fourth consecutive title in the 8<sup>th</sup> Annual Dale Masson Memorial Western Canadian Law Hockey Championship. After a 2-1 round robin loss to the UofC Flamers, the Tortfeasors were able to secure a birth to the finals and rallied to defeat UofC by a convincing 7-1 margin. A milestone was achieved for tournament MVP Derrick "Birdcage" Hosanna who actually attended the



## LITIGATORS ROUND-UP

RYAN GHUMAN (2L)

Amidst the scenic backdrop of Lake Louise, the Litigators held their annual alumni tournament this past weekend. Litigator members past and present, descended upon the mountainous landscape for what many called the longest they had ever traveled to play a

With about 20 games remaining in the regular season, the NBA playoff picture is beginning to take shape. In the Eastern Conference, despite a valiant effort by my Toronto Raptors to squeak in, the 8 teams are virtually set. The Miami Heat are currently riding a 15 game winning streak, and they seem to be peaking at just the right time. LeBron James and Dwayne Wade are finally playing to their max potential, and Pat Riley looks like a happy mob boss once again. The only team that has some semblance of a chance to prevent the Heat from once again reaching the NBA finals is the Indiana Pacers. Led by 6'8 shooting guard (and apparently Beatles lovechild) Paul George, the pacers have one of the tallest and most intimidating line-ups in NBA history. Their point guard George Hill is 6'4, small forward Danny Granger is 6'9, and center Roy Hibbert is a towering 7'3. They have also success against Miami this season going 2-0 in their matchups. The Eastern Conference finals may be just the right time to tune in this season.

The race to the playoffs in the Western Conference is far more interesting. The Lakers are the story so far this season

majority of the games in the tournament and decided not to repeat any head butting tactics he had employed in prior years. Currently the Tortfeasors are rigorously training (their livers) for the annual alumni game in Red Deer on March 9. The team is attempting to repeat on last year's success after the Tortfeasors defeated the alumni for the first time in a decade. Despite missing some key pieces due to injury such as "Little" Lucas Huyser-Wierenga and Kevin "Old-Man-Hands" Haldane, the team looks poised to reach dynasty status by securing their third consecutive title.

game of pond hockey. Lengthy road-trips aside, once the ice was shoveled and the pucks were dropped the only thing that mattered was competition. Teammates in Edmonton became foes in Lake Louise, as the Litigators divided themselves by year in order to determine who would reign supreme.

The 1L team showed that experience wasn't a prerequisite as they battled hard. What the 2L team may have lacked on offensive talent, they made up for in snow-bank body checks. The 3L team played with an intensity not seen since their first year mid-term exams and the Alumni were just happy to get away from their significant others for at least a night; while winning the tournament in the process.

After the tournament the team enjoyed a respectable and classy night out in Banff.

Special thanks goes to team Captain Ariel Laver for organizing the trip and all the Alumni that made it. Of course, this article would not be complete without thanking the staff of the Banff Inn for not exercising their powers under the Innkeepers Act.

in the NBA. After struggling out the gate, the Lakers are now a .500 basketball team, and 2 games out of the playoff picture. In their last 10 games they have gone 7-3, and Kobe, Dwight and Nash have been able to accomplish this without Pau Gasol. With Utah and Golden State on the downswing, the Lakers have a legitimate shot at making the playoffs. If they do, they will likely face a familiar foe in the San Antonio Spurs in the first round. This matchup would be ideal for an aging Laker team, and makes the West an exciting viewing option right from the get go.

Another thing to keep an eye on with 20 games left is the inevitable tanking of teams in order to improve their draft position. Sadly, the Raptors traded their pick in the draft this year for Kyle Lowry, however there is a lot of wheeling and dealing to be done before the Draft this June. This Draft is widely considered to be weak, but at the top there is definitely some talent. With March Madness around the corner, keep an eye on Kamloops native Kelly Olynyk, who has led his Gonzaga Bulldogs to a

## BASKETBALL VIEWING GUIDE

ARON BALAKRISHNAN (3L)

national #1 ranking. I had the privilege of being dunked on by him back in my glory days, and I can tell you with confidence that he "ain't no joke." He's projected to be a lottery pick this coming draft, and could be the great white hope for Canadian basketball. Another prospect to keep an eye on is Ben McLemore of Kansas. He's a freak athlete who only began playing basketball in high

school. He's projected to be the number 1 overall pick, and perhaps a more athletic Ray Allen.

Happy Watching!



## LAW GIRL: VANESSA KNUSTON (3L)



**Hometown/ Undergrad:** Vancouver, McGill University

**Third year: pain or pleasure?**

Both... just like a good binge eating session.

**Now that you're graduating, what is your best memory from each year?**

Law Show, every year. It is rare for someone of my star dance caliber to have permission to shine on stage. I would also like to note my brief hockey career in 3L as the Ovechkin of Swift Justice.

**What is your most embarrassing memory from law school?**

Interestingly enough I would consider my best memories to be identical to my most embarrassing memories. I know this may sound shocking to anyone who has watched me dance, but under that poised, elegant, and graceful exterior was a dancer not fully confident with the moves. You may be equally shocked to learn that my hockey career was also slightly mortifying. I was able to glide over the boards into the bench like a beautiful swan taking flight, but my skating skills were really lacking.

**If you were a lovechild of two law professors, who would they be?**

Honestly, I don't know the professors well enough to answer this question. I do, however, know the genetic traits that I would be interested in receiving: star quality and a photographic memory.

**What will you miss most about law school?**

The people, particularly the girl group.

**What will you miss least about law school?**

The work.

**If you could go back in time, what is the one piece of advice you'd give to 1L you?**

I would tell 1L me to calm down. 1L me would quickly disregard that advice.

**Who is someone you'd be afraid to introduce your parents to at grad?**

Janelle Wilson. For some reason when I am around her, I cannot stop myself from insulting her in very inappropriate ways. I really don't need my parents thinking I'm a bully.

**What are you looking forward to most when you're done school?**

Telling people that I am a "doctor". I am still trying to decide whether or not to stand up when a flight attendant asks for a doctor on the plane.

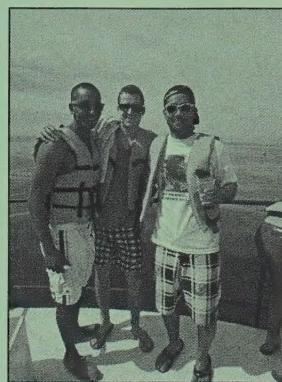
**What are you going to do with your first pay cheque?**

I will probably use it for one of my favourite past-times: paying people to do stupid things. One of my best ideas was offering to pay for Graham Henderson and my sister's late night jumbo poutine if they subsequently ran around the block 6 times without vomiting. I did not end up having to pay.

**Any final words of wisdom?**

Shine like a supernova

## LAW GUY: GRAHAM HENDERSON (3L)



**Hometown/ Undergrad:** Edmonton / University of Alberta

**Third year: pain or pleasure?** Pleasure.

Since most people in 3L already have jobs, the pressure and stress levels are way lower. Also, with real life just around the corner, everyone seems to cherish this last year a little bit more than first and second year.

**Now that you're graduating, what is your best memory from each year?** Law Show all three years. Excluding law show: (1L):

Garrett Lee's birthday when Donair Fingers put her sticky ol' fish hook into Garrett's mouth to reel him in for a big smooch (although, this memory would be even better if Garrett had actually manned-up and given her the sweet loving she desired). (2L): Law Games when Jeremy Comeau had his 'temper tantrum' and when I had the longest and sweatiest

dance party of my life with Carly Androschuk and Tareyn Warren. (3L): Celebrity status at Bora Bora... but since hearing about this memory breaks Ben Samaroo's delicate and sensitive heart, I'll change my answer to... the first party of ski trip (DJ'd by DJ G WI).

**What is your most embarrassing memory from law school?** Yellow pants. For the most part it wasn't too embarrassing because in the law building people eventually figured-out that I had lost a bet and in the fine arts building I was really popular with the hipsters. I wore them long enough that they loosened up and my panty-lines went away. But life was terrible in HUB mall where I was ridiculed and mocked. A grisly old man even yelled at me.

**If you were a lovechild of two law professors, who would they be?** I'm going to assume that this doesn't require a woman... Professor Wood and Professor Litman.

**What will you miss most about law school?** Hockey bets. Shaved heads, Mexican ponchos & sombreros, greasy moustaches, yellow pants, shaved armpits, and more.

**What will you miss least about law school?** Snails.

**If you could go back in time, what is the one piece of advice you'd give to 1L you?** Stay on the foosball ladder. You'd be a champion by now. Instead you're nothing but a wannabe.

**Who is someone you'd be afraid to introduce your parents to at grad?**

Vanessa Knutson. (1) Since grad is at the end of March, she'll already be stressing about her exams. Go drink a bubble tea and relax, okay Vanessa? (2) Her boyfriend has abs and he'll make me look bad in front of my parents. (3) She always gets food stuck in her teeth at these types of banquets. Ew.

**What are you looking forward to most when you're done school?** Trip to southeast Asia after finals.

**What are you going to do with your first pay cheque?** Save it.

**Any final words of wisdom?** Rule #79: The tables furthest from the kitchen always get served first.

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## March 2013

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9 Tortfeasors Alumni Weekend
10	11	12	13	14	15 Rugby Rookie Party	16
17	18	19	20	21	22 SLS Appreciation Dinner	23 Grad
24	25	26	27	28	29 Good Friday	30
31 Easter						